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FM AMEMBASSY JAKARTA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4964  
INFO RUEKJCS/SECDEF WASHDC IMMEDIATE  
RHHMUNA/HQ USPACOM HONOLULU HI IMMEDIATE  
RHHMUNA/USCINCPAC HONOLULU HI IMMEDIATE

C O N F I D E N T I A L JAKARTA 006773

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E.O. 12958: DECL: 05/30/2016  
TAGS: [MARR](#) [MOPS](#) [PREL](#) [KTIA](#) [EAID](#) [ID](#)  
SUBJECT: GOI RESPONDS TO STATUS OF FORCES AGREEMENT REQUEST

REF: A. JAKARTA 6770  
[1](#)B. JAKARTA 6656  
[1](#)C. STATE 86516

Classified By: PolCouns Marc Desjardins, reason 1.4 (b) and (d)

[1](#)1. (C) Subsequent to transmission of reftel, the Ministry of Foreign Affairs faxed a formal reply late May 30 to our request to implement a SOFA in conjunction with the Yogyakarta earthquake relief. The reply agrees to the principle of establishing a SOFA, but modifies the agreement reached in 2005 in significant ways. We request instructions on how to reply. We have faxed a copy of the diplomatic note to the Indonesia desk (EAP/MTS) in the Department.

[1](#)2. (C) The reply contains 15 operative paragraphs. Among the many changes from last year, the Indonesian draft text

--adds several paragraphs affirming the need to respect Indonesian sovereignty, Indonesian control over disaster relief operations, prohibits activities not compatible with such operations and refers to the need to respect communications regulations;

--specifies that entry and exit of foreign personnel are subject to "existing Indonesian procedures," omitting the proposed ability to enter with United States identification and travel orders;

--prohibits U.S. military and DOD civilian personnel from carrying arms;

--spells out air and ship clearance procedures;

--specifies that U.S. aircraft and vessels can use their already existing licenses and permits;

--omits the word "reasonable" when referring to charges to be paid by the United States for services requested and received;

--asserts that claims by third parties will be settled under Indonesian law (vice U.S. law);

--requires the U.S. to pay for the costs of any investigation conducted by Indonesian authorities of any accident involving a U.S. aircraft or vessel.

[1](#)3. (C) Paragraphs that repeat language from last year include

--granting Administrative and Technical status under the Vienna Convention of 1961;

--permitting the wearing of uniforms;

--according duty-free status and waiving many charges;

--maintaining the waiving of claims against each other's  
governments arising out of the performance of official duties.

PASCOE